Royal Canadian Mounted Police
External Review Committee

Comité externe d'examen
de la Gendarmerie royale du Canada

# *Access to Information Act*

## RCMP External Review Committee

## Annual Report
## 2012-13

## Report on *Access to Information Act* 2012-13

## INTRODUCTION

The *Access to Information Act* gives the public a broad right of access to information contained in federal government records, subject to certain limited and specific exceptions.

Section 72 of the *Access to Information Act* requires that the head of every government institution submit an annual report to Parliament on the administration of the *Act* during the financial year. This report describes how the RCMP External Review Committee administered the *Access to Information Act* throughout fiscal year 2012-13.

## ABOUT THE RCMP EXTERNAL REVIEW COMMITTEE

The Royal Canadian Mounted Police External Review Committee (ERC) was created by Part II of the *Royal Canadian Mounted Police Act*, R.S.C., 1985, c. R-10, as amended, as an independent and impartial body to review appeals of formal discipline, appeals of discharge or demotion, and certain types of grievances involving regular and civilian members of the RCMP. The ERC independently reviews cases referred to it and submits recommendations to the Commissioner of the RCMP.

## ACCESS TO INFORMATION RESPONSIBILITIES

Because of the small size of the ERC (less than 10 FTE's) and of the small number of requests, all access to information-related functions are performed by the Executive Director and the Manager, Administrative Services. The ERC has no regional offices. The ERC processes requests as follows:

- the requested information is identified;
- the requests are examined to see if they should be transferred to another government institution with a 'greater interest';
- possible exemptions are considered;
- a copy of the non-exempt information is prepared and forwarded to the requester with a transmittal letter; and,
- the requests and all related documentation are filed in the ERC's ATIP registry.

The ERC relies on existing Treasury Board guidelines.

## DELEGATION ORDER

The Minister of Public Safety, pursuant to section 73 of the *Access to Information Act*, designates the Chair, the Vice-Chair and the Executive Director and Senior Counsel of the ERC to exercise the powers and perform the duties of the Minister as the head of a government

institution, that is, the Royal Canadian Mounted Police External Review Committee, under the sections of the *Act*. Responsibilities associated with the administration of the *Access to Information Act* include notifying applicants of extensions and transferring requests to other institutions (see Annex A, Delegation Order).

## *ACCESS TO INFORMATION ACT* REQUESTS RECEIVED

Throughout fiscal year 2012-13, the ERC received a total of 18 requests under the *Access to Information Act*. The disposition of these requests is as follows:

| | |
|---|---|
| All disclosed | 0 |
| Disclosed in part | 0 |
| All exempted | 0 |
| All excluded | 0 |
| No records exist | 6 |
| Request transferred | 12 |
| Request abandoned | 0 |
| Treated informally | 0 |
| Total | 18 |

Annex B provides a summarized statistical report on *Access to Information Act* requests processed by the ERC between April 1, 2012 and March 31, 2013.

## DISPOSITION OF REQUESTS

The ERC transferred 12 requests to the Royal Canadian Mounted Police Access to Information Coordinator because the ERC did not possess the requested information. The applicants were advised accordingly.

Six requests where no records exist included requests for records that were not under the control of the ERC. The applicants were advised accordingly.

## SOURCE OF REQUESTS

Seventeen requests received during the period were from the public, and one originated from an organization.

## CONSULTATIONS FROM OTHER INSTITUTIONS

During the reporting period, the ERC received three consultations in response to formal requests received by other federal institutions. The recommendation to disclose the information entirely in all three cases was completed between one and 15 days.

## INFORMAL PROCESSES

Whenever possible, information is provided informally to the public by ERC employees. For example staff responds to phone calls about the ERC's procedures. Additionally, the ERC's website serves as a valuable source of information, where annual reports, financial reports, contracts over $10,000, position reclassifications, and expenses of senior officials are routinely updated. Given the sensitivity of much of the information held at the ERC, there are few opportunities to disclose other types of information informally.

## TRAINING ACTIVITIES

As the ERC receives a very small number of ATI requests and the majority are referrals outside the agency to larger agencies, no formal ATI training has been provided in this reporting period. However, some legal staff at the ERC have received legal training in ATIP matters. The requests that are challenging require legal analysis.

All information about the ATI program is routinely circulated to all staff of the ERC. Also, the ERC regularly disseminates information through its quarterly newsletter *Communiqué*, its annual report and communications activities concerning its operations.

## POLICIES, GUIDELINES AND PROCEDURES

The ERC did not implement any new or revised access to information related policies, guidelines or procedures during the reporting period.

## COMPLAINTS/INVESTIGATIONS

The ERC did not receive any complaints and was not investigated during the reporting period.

## APPLICATIONS/APPEALS TO THE FEDERAL COURTS

There were no applications/appeals to the Courts for fiscal year 2012-13.

## PUBLIC READING ROOM

The *Access to Information Act* requires that institutions maintain a reading room where the public can review records that have been disclosed by the ERC over the past three years. Records are available for review at no charge. Photocopying costs are applied at $0.20 per page.

The ERC's public reading room is located at 60 Queen Street, Room 600, in Ottawa and is open from 10:00 a.m. to 3:00 p.m., Monday to Friday. Individuals who wish to review records must schedule an appointment with the ERC.

# *Access to Information Act* Delegation Order

# Arrêté sur la délégation en vertu de la *Loi sur l'accès à l'information*

The Minister of Public Safety Canada, pursuant to section 73 of the *Access to Information Act**, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers and perform the duties and functions of the Minister as the head of a government institution, that is, the Royal Canadian Mounted Police External Review Committee, under the sections of the *Act* set out in the schedule opposite each position.

En vertu de l'article 73 de la *Loi sur l'accès à l'information**, le Ministre de la Sécurité publique Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, les attributions don't il est, en qualité de responsable d'une institution fédérale, c'est-à-dire, le Comité externe d'examen de la Gendarmerie royale du Canada, investi par les articles de la *Loi* mentionnés en regard de chaque poste.

Schedule

Annexe

| Position<br>Poste | Sections of the *Access to Information Act*<br>Article de la *Loi sur l'accès à l'information* |
|---|---|
| Chairman<br>Président | 7, 8(1), 9, 10, 11(2) to/à (6) incl., 12(2), 13 to/à 24 incl., 25, 26, 27, 28(1), (4), (5), (6), (8), 29(1), 33, 37(4) 43(1), 44(2), 52(2), 52(3), 71, Reg./Règ. 6(1), 8 |
| Vice-Chairman<br>Vice-président | 7, 8(1), 9, 10, 11(2) to/à (6) incl., 12(2), 13 to/à 24 incl., 25, 26, 27, 28(1), (4), (5), (6), (8), 29(1), 33, 37(4) 43(1), 44(2), 52(2), 52(3), 71, Reg./Règ. 6(1), 8 |

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Schedule

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|---|---|
| Executive Director and Senior Counsel<br>Directeur exécutif et avocat principal | 7, 8(1), 9, 10, 11(2) to/à (6) incl., 12(2), 25, 28(1), (4), (6), (8), 29(1), 33, 37(4), 43(1), 44(2), 52(2), 52(3), 71, Reg./Règ. 6(1), 8 |

**_Access to Information Act_ Delegation Order**

**Arrêté sur la délégation en vertu de la _Loi sur l'accès à l'information_**



Dated at the City of Ottawa, this 25th day of May, 2010

Daté en la ville d'Ottawa, ce _____ ième jour de _____, 2010

V Toews

Vic Toews, P.C., M.P.
Public Safety Canada

Vic Toews, C.P., député
Sécurité publique Canada

* R.S.C., 1985, c. A-1

*L.R.C. (1985), ch. A-1

Government of Canada / Gouvernement du Canada

# Statistical Report on the *Access to Information Act*

**Name of institution:** RCMP External Review Committee

**Reporting period:** 01/04/2012 to 31-Mar-13

## PART 1 – Requests under the *Access to Information Act*

### 1.1 Number of Requests

| | Number of Requests |
|---|---|
| Received during reporting period | 18 |
| Outstanding from previous reporting period | 0 |
| **Total** | 18 |
| Closed during reporting period | 18 |
| Carried over to next reporting period | 0 |

### 1.2 Sources of requests

| Source | Number of Requests |
|---|---|
| Media | 0 |
| Academia | 0 |
| Business (Private Sector) | 0 |
| Organization | 1 |
| Public | 17 |
| **Total** | 18 |

## PART 2 – Requests closed during the reporting period

### 2.1 Disposition and completion time

| Disposition of requests | Completion Time | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | 1 to 15 days | 16 to 30 days | 31 to 60 days | 61 to 120 days | 121 to 180 days | 181 to 365 days | More than 365 days | Total |
| All disclosed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| No records exist | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |
| Request transferred | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 12 |
| Request abandoned | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Treated informally | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 18 | 0 | 0 | 0 | 0 | 0 | 0 | 18 |

## 2.2 Exemptions

| Section | Number of requests | Section | Number of requests | Section | Number of requests | Section | Number of requests |
|---|---|---|---|---|---|---|---|
| 13(1)(a) | 0 | 16(2)(a) | 0 | 18(a) | 0 | 20.1 | 0 |
| 13(1)(b) | 0 | 16(2)(b) | 0 | 18(b) | 0 | 20.2 | 0 |
| 13(1)(c) | 0 | 16(2)(c) | 0 | 18(c) | 0 | 20.4 | 0 |
| 13(1)(d) | 0 | 16(3) | 0 | 18(d) | 0 | 21(1)(a) | 0 |
| 13(1)(e) | 0 | 16.1(1)(a) | 0 | 18.1(1)(a) | 0 | 21(1)(b) | 0 |
| 14(a) | 0 | 16.1(1)(b) | 0 | 18.1(1)(b) | 0 | 21(1)(c) | 0 |
| 14(b) | 0 | 16.1(1)(c) | 0 | 18.1(1)(c) | 0 | 21(1)(d) | 0 |
| 15(1) - I.A.* | 0 | 16.1(1)(d) | 0 | 18.1(1)(d) | 0 | 22 | 0 |
| 15(1) - Def.* | 0 | 16.2(1) | 0 | 19(1) | 0 | 22.1(1) | 0 |
| 15(1) - S.A.* | 0 | 16.3 | 0 | 20(1)(a) | 0 | 23 | 0 |
| 16(1)(a)(i) | 0 | 16.4(1)(a) | 0 | 20(1)(b) | 0 | 24(1) | 0 |
| 16(1)(a)(ii) | 0 | 16.4(1)(b) | 0 | 20(1)(b.1) | 0 | 26 | 0 |
| 16(1)(a)(iii) | 0 | 16.5 | 0 | 20(1)(c) | 0 | | |
| 16(1)(b) | 0 | 17 | 0 | 20(1)(d) | 0 | | |
| 16(1)(c) | 0 | | | | | | |
| 16(1)(d) | 0 | | | | | | |

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

## 2.3 Exclusions

| Section | Number of requests | Section | Number of requests | Section | Number of requests |
|---|---|---|---|---|---|
| 68(a) | 0 | 69(1)(a) | 0 | 69(1)(g) re (a) | 0 |
| 68(b) | 0 | 69(1)(b) | 0 | 69(1)(g) re (b) | 0 |
| 68(c) | 0 | 69(1)(c) | 0 | 69(1)(g) re (c) | 0 |
| 68.1 | 0 | 69(1)(d) | 0 | 69(1)(g) re (d) | 0 |
| 68.2(a) | 0 | 69(1)(e) | 0 | 69(1)(g) re (e) | 0 |
| 68.2(b) | 0 | 69(1)(f) | 0 | 69(1)(g) re (f) | 0 |
| | | | | 69.1(1) | 0 |

## 2.4 Format of information released

| Disposition | Paper | Electronic | Other formats |
|---|---|---|---|
| All disclosed | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 |
| **Total** | 0 | 0 | 0 |

## 2.5 Complexity

### 2.5.1 Relevant pages processed and disclosed

| Disposition of requests | Number of pages processed | Number of pages disclosed | Number of requests |
|---|---|---|---|
| All disclosed | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 |
| All exempted | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 |
| Request abandoned | 0 | 0 | 0 |

### 2.5.2 Relevant pages processed and disclosed by size of requests

| Disposition | Less than 100 pages processed | | 101-500 pages processed | | 501-1000 pages processed | | 1001-5000 pages processed | | More than 5000 pages processed | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Number of requests | Pages disclosed | Number of requests | Pages disclosed | Number of requests | Pages disclosed | Number of requests | Pages disclosed | Number of requests | Pages disclosed |
| All disclosed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Abandoned | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Total** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

### 2.5.3 Other complexities

| Disposition | Consultation required | Assessment of fees | Legal advice sought | Other | Total |
|---|---|---|---|---|---|
| All disclosed | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 |
| Abandoned | 0 | 0 | 0 | 0 | 0 |
| **Total** | 0 | 0 | 0 | 0 | 0 |

### 2.6 Deemed refusals

### 2.6.1 Reasons for not meeting statutory deadline

| Number of requests closed past the statutory deadline | Principal Reason | | | |
|---|---|---|---|---|
| | Workload | External consultation | Internal consultation | Other |
| 0 | 0 | 0 | 0 | 0 |

### 2.6.2 Number of days past deadline

| Number of days past deadline | Number of requests past deadline where no extension was taken | Number of requests past deadline where an extension was taken | Total |
|---|---|---|---|
| 1 to 15 days | 0 | 0 | 0 |
| 16 to 30 days | 0 | 0 | 0 |
| 31 to 60 days | 0 | 0 | 0 |
| 61 to 120 days | 0 | 0 | 0 |
| 121 to 180 days | 0 | 0 | 0 |
| 181 to 365 days | 0 | 0 | 0 |
| More than 365 days | 0 | 0 | 0 |
| **Total** | 0 | 0 | 0 |

### 2.7 Requests for translation

| Translation Requests | Accepted | Refused | Total |
|---|---|---|---|
| English to French | 0 | 0 | 0 |
| French to English | 0 | 0 | 0 |
| **Total** | 0 | 0 | 0 |

## PART 3 – Extensions

### 3.1 Reasons for extensions and disposition of requests

| Disposition of requests where an extension was taken | 9(1)(a) Interference with operations | 9(1)(b) Consultation | | 9(1)(c) Third party notice |
|---|---|---|---|---|
| | | Section 69 | Other | |
| All disclosed | 0 | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 |
| No records exist | 0 | 0 | 0 | 0 |
| Request abandoned | 0 | 0 | 0 | 0 |
| **Total** | 0 | 0 | 0 | 0 |

### 3.2 Length of extensions

| Length of extensions | 9(1)(a) Interference with operations | 9(1)(b) Consultation | | 9(1)(c) Third party notice |
|---|---|---|---|---|
| | | Section 69 | Other | |
| 30 days or less | 0 | 0 | 0 | 0 |
| 31 to 60 days | 0 | 0 | 0 | 0 |
| 61 to 120 days | 0 | 0 | 0 | 0 |
| 121 to 180 days | 0 | 0 | 0 | 0 |
| 181 to 365 days | 0 | 0 | 0 | 0 |
| 365 days or more | 0 | 0 | 0 | 0 |
| **Total** | 0 | 0 | 0 | 0 |

## PART 4 – Fees

| Fee Type | Fee Collected | | Fee Waived or Refunded | |
|---|---|---|---|---|
| | Number of requests | Amount | Number of requests | Amount |
| Application | 0 | $0 | 0 | $0 |
| Search | 0 | $0 | 0 | $0 |
| Production | 0 | $0 | 0 | $0 |
| Programming | 0 | $0 | 0 | $0 |
| Preparation | 0 | $0 | 0 | $0 |
| Alternative format | 0 | $0 | 0 | $0 |
| Reproduction | 0 | $0 | 0 | $0 |
| **Total** | 0 | $0 | 0 | $0 |

## PART 5 – Consultations received from other institutions and organizations

### 5.1 Consultations received from other government institutions and organizations

| Consultations | Other government institutions | Number of pages to review | Other organizations | Number of pages to review |
|---|---|---|---|---|
| Received during reporting period | 3 | 10 | 0 | 0 |
| Outstanding from the previous reporting period | 0 | 0 | 0 | 0 |
| **Total** | 3 | 10 | 0 | 0 |
| Closed during the reporting period | 3 | 10 | 0 | 0 |
| Pending at the end of the reporting period | 0 | 0 | 0 | 0 |

### 5.2 Recommendations and completion time for consultations received from other government institutions

| Recommendation | Number of days required to complete consultation requests | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | 1 to 15 days | 16 to 30 days | 31 to 60 days | 61 to 120 days | 121 to 180 days | 181 to 365 days | than 365 days | Total |
| Disclose entirely | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Disclose in part | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Exempt entirely | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Exclude entirely | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Consult other institution | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |

### 5.3 Recommendations and completion time for consultations received from other organization

| Recommendation | Number of days required to complete consultation requests | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | 1 to 15 days | 16 to 30 days | 31 to 60 days | 61 to 120 days | 121 to 180 days | 181 to 365 days | than 365 days | Total |
| Disclose entirely | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disclose in part | 0 | 0 | 0 | 0 | 0 | 0 | | 0 |
| Exempt entirely | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Exclude entirely | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Consult other institution | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

## PART 6 – Completion time of consultations on Cabinet confidences

| Number of days | Number of responses received | Number of responses received past deadline |
|---|---|---|
| 1 to 15 | 0 | 0 |
| 16 to 30 | 0 | 0 |
| 31 to 60 | 0 | 0 |
| 61 to 120 | 0 | 0 |
| 121 to 180 | 0 | 0 |
| 181 to 365 | 0 | 0 |
| More than 365 | 0 | 0 |
| **Total** | 0 | 0 |

## PART 7 – Resources related to the Access to Information Act

### 7.1 Costs

| Expenditures | | Amount |
|---|---|---|
| Salaries | | $5,000 |
| Overtime | | $0 |
| Goods and Services | | $0 |
| • Professional services contracts | $0 | |
| • Other | $0 | |
| **Total** | | **$5,000** |

### 7.2 Human Resources

| Resources | Dedicated full-time to ATI activities | Dedicated part-time to ATI activities | Total |
|---|---|---|---|
| Full-time employees | 0.00 | 1.00 | 1.00 |
| Part-time and casual employees | 0.00 | 0.00 | 0.00 |
| Regional staff | 0.00 | 0.00 | 0.00 |
| Consultants and agency personnel | 0.00 | 0.00 | 0.00 |
| Students | 0.00 | 0.00 | 0.00 |
| **Total** | 0.00 | 1.00 | 1.00 |

**Previously released ATI package released informally**

| Institution | Number of informal releases of previously released ATI packages |
|---|---|
| RCMP External Review Committee | nil |

**Completed Privacy Impact Assessments (PIAs)**

| Institution | Number of Completed PIAs |
|---|---|
| RCMP External Review Committee | nil |